IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

**O R D E R**

Deepak Bhavsar Vs. State of Rajasthan & Ors.
**D.B. HABEAS CORPUS WRIT PETITION NO.1724/2007**

Writ Petition under Article 226 of the Constitution of India.

DATE OF ORDER :: 23rd May, 2007.

**PRESENT**

**HON'BLE MR.JUSTICE S. P. PATHAK**
**HON'BLE MR.JUSTICE D.N. THANVI**

Mr. Deepak Menaria for petitioner.
Mr. S.K. Vyas, G.A.
Ms. Ajanta Saraswat, assisting lawyer.

**BY THE COURT (PER HON'BLE PATHAK,J)**:

By the instant petition of Habeas Corpus, the petitioner has prayed that corpus Ranu Soni be produced in the Court.

Notices were issued on 02.04.2007 and Mr. V.R.Mehta, Govt. Advocate accepted the notices on behalf of respondent No. 1 & 2. Thereafter, matter was listed in Court on 23.04.2007 and 08.05.2007, however, no reply was filed despite specific directions.

Today, the corpus has been produced in the Court by the parents of corpus viz., father Arun Kumar and mother Premlata, at about 11 O' Clock. Thereafter, she was relegated to our Chamber in the company of lady Advocate Anjana Saraswat. She remained in the Chamber nearly about one hour. When we came in the Chamber, we also talked to the corpus. She has stated that she is major and free to take her own decision.

After having satisfied that there is no pressure on the corpus and whatever she is stating before the Court is stating at her own wish and desire, therefore, we asked the corpus viz. Ranu Soni to write down her desire about her staying either with the parents or with the husband. She has reduced her statement on a paper in her own handwriting wherein she has specifically stated that the petitioner is her husband and both of them got married on 15th January 2007. She has also stated that she does not want to go with her parents but wants to go with her husband (petitioner herein).

In the light of statement, which has been reduced by the corpus in her own handwriting in presence

of the learned counsel for both sides and also taking into consideration the desire of the corpus and the documents annexed with the petition i.e. educational certificate as well as the marriage certificate, we deem it proper to dispose of the petition in the following terms:

1. The corpus being major, she is free to go to her desired place (her husband's residence: House No.18, Nazar Bagh, Raoji Ka Hata, Udaipur).
2. ASI, Laxman Kumar, posted at Police Station Ghantaghar, Udaipur, who is present, is hereby directed to leave the corpus in police protection at her desired place.

There remains no cause to be decided in this petition, therefore, the petition stands disposed of accordingly.

The statement of the corpus be taken on record.

**(D.N. THANVI)J.** **(SATYA PRAKASH PATHAK)J.**

/jpa